
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations provide that to the extent the revocation of the Health and Safety Fees Regulations 2008 ([S.I. 2008/736](#)) by the Health and Safety (Fees) Regulations 2009 ([S.I. 2009/515](#)) revoked the amendments to regulation 22 of the Control of Major Accident Hazard Regulations 1999 ([S.I. 1999/743](#)) (“COMAH”) those amendments are revived. The revived provisions incorporate amendments made to them by the Control of Major Accident Hazards (Amendment) Regulations 2008 ([S.I. 2008/1087](#)).

2. The amendments to regulation 22 of COMAH provide for a power to recover the costs to the Health and Safety Executive from certain COMAH establishments in specified circumstances. This instrument is prepared for the avoidance of any doubt about the power of the Health and Safety Executive to recover those costs.

3. No Impact Assessment has been prepared for this instrument as the purpose of this instrument is to give certainty to the status of amendments to COMAH made in 2008.